

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
GREENVILLE DIVISION**

**DONNA KAY STUBBLEFIELD,  
Administrator CTA of the Estate of  
Billie June Rhoton, Deceased,  
and Individually and LORI  
COTTEN,**

**Plaintiffs,**

**VS.**

**NO. \_\_\_\_\_**

**STATE FARM FIRE AND CASUALTY  
COMPANY,**

**JURY DEMAND**

**Defendant.**

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**NOTICE OF REMOVAL**

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Defendant, STATE FARM FIRE AND CASUALTY COMPANY, hereby notifies the Judges of the United States District Court for the Eastern District of Tennessee, the clerk of the Circuit Court of Hawkins County, Tennessee and Plaintiffs, DONNA KAY STUBBLEFIELD, ADMINISTRATOR CTA OF THE ESTATE OF JUNE RHOTON, DECEASED, AND INDIVIDUALLY, AND LORI COTTEN, that the action described herein and filed in the Circuit Court of Hawkins County, Tennessee, is removed to the United States District Court for the Eastern District of Tennessee, Greenville Division pursuant to 28 U.S.C. § 1441.

1. On April 9, 2012, Plaintiffs, DONNA KAY STUBBLEFIELD, ADMINISTRATOR CTA OF THE ESTATE OF JUNE RHOTON, DECEASED, AND INDIVIDUALLY, AND LORI COTTEN, filed a civil action bearing Docket No. 14-CV-0176 (AEP) against the Defendant, STATE FARM FIRE AND CASUALTY COMPANY,

in the Circuit Court of Hawkins County, Tennessee. Service of the complaint and summons was made upon CT Corporation, the designated statutory agent of the Defendant, on September 15, 2014, by certified mail through the Department of Insurance of the State of Tennessee.

2. This action is filed by Plaintiffs for proceeds allegedly due under a contract of insurance written by Defendant, STATE FARM FIRE AND CASUALTY COMPANY, and insuring Plaintiffs' real property and contents in Hawkins County, Tennessee which was allegedly destroyed by fire occurring on or about January 18, 2014. Plaintiffs also make claims of statutory bad faith.

3. Defendant seeks removal of this action to this Court pursuant to 28 U.S.C. § 1332, upon the grounds that the controversy is wholly between citizens of different states and involves an amount in controversy which exceeds Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs. Specifically, the complaint demands damages in the amount of approximately \$145,000.00 to \$175,000.00 for the actual cash value of the real property at the time of the loss, the actual cash replacement value of personal property of approximately \$250,000.00 to \$300,000.00, plus a twenty-five (25%) penalty for bad faith under Tennessee Code Annotated section 56-7-105.

4. Plaintiffs, DONNA KAY STUBBLEFIELD, ADMINISTRATOR CTA OF THE ESTATE OF JUNE RHOTON, DECEASED, AND INDIVIDUALLY, AND LORI COTTEN, are residents and citizens of the State of Tennessee and were citizens of the State of Tennessee at the time of the filing of this action and at the time of removal. Defendant STATE FARM FIRE AND CASUALTY COMPANY is a corporation

incorporated in Illinois, with its principal place of business in Bloomington, Illinois. The amount in controversy exceeds Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs.

5. This notice is filed within the time prescribed by 28 U.S.C. §1446(b).

6. A copy of the Summons and Complaint, being all the papers served upon the Defendant, are attached hereto.

WHEREFORE, notice is hereby given that the said civil action number 14-CV-0176 (AEP) is removed from the Circuit Court of Hawkins County, Tennessee, to this Court.

Respectfully submitted,

RAINEY, KIZER, REVIERE & BELL, P.L.C.

**s/ Russell E. Reviere**

Russell E. Reviere (BPR No. 07166)

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### **CERTIFICATE OF SERVICE**

The undersigned certifies that a true and correct copy of the foregoing document was forwarded first class U.S. Mail, postage prepaid to William E. Phillips, Phillips & Hale, 210 East Main Street, Rogersville, Tennessee 37857, counselor of record for Plaintiffs, and by electronic means via the Court's electronic filing system.

This the 29th day of September, 2014.

**s/ Russell E. Reviere**